

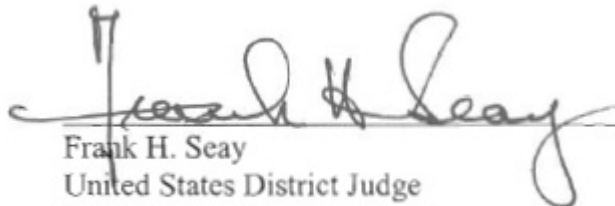
IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA

BARBARA K. MILLER,)	
)	
Plaintiff,)	
)	
v.)	No. CIV-12-69-FHS
)	
JOE CARRIZALES; MISSOURI)	
MPP CORPORATION; and)	
LIBERTY MUTUAL INSURANCE)	
COMPANY,)	
)	
Defendants.)	

OPINION AND ORDER

In this diversity action, Defendant, Liberty Mutual Insurance Company ("Liberty Mutual"), has filed a Motion For Summary Judgment And Request For Removal From The Case Caption (Dkt. No. 18) asking this Court to enter summary judgment in its favor on the basis that "Oklahoma law does not permit a direct action against a liability insurance carrier in the absence of statutory authority." It is Liberty Mutual's position that no such statutory authority exists herein and, as a result, Plaintiff cannot maintain a direct action against it at this time. In response, Plaintiff concedes Liberty Mutual's position and consents to the entry of summary judgment in favor of Liberty Mutual. Based on the arguments presented by Liberty Mutual and Plaintiff's concession, the Court finds that Liberty Mutual's Motion For Summary Judgment And Request For Removal From The Case Caption (Dkt. No. 18) should be granted. Summary judgment is therefore entered in favor of Liberty Mutual and Liberty Mutual is ordered removed from the case caption.

It is so ordered this 28th day of November, 2012.


Frank H. Seay
United States District Judge
Eastern District of Oklahoma